

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re FOREST LABORATORIES, INC.	:	Civil Action No. 05-CV-2827-RMB
SECURITIES LITIGATION	:	
_____	:	<u>ELECTRONICALLY FILED</u>
This Document Relates To:	:	<u>CLASS ACTION</u>
	:	
ALL ACTIONS.	:	
_____	x	

DECLARATION OF JOEL MUELLER IN SUPPORT OF MOTION FOR CLASS
CERTIFICATION

I, JOEL MUELLER, declare as follows:

1. I respectfully submit this declaration in support of the motion of PACE Industry Union Management Pension Fund ("PACE"), Teamsters Affiliates Pension Plan ("Teamsters"), and UNITE HERE Staff Retirement Fund ("UNITE HERE") to have the above captioned action certified as a class action and to have PACE, Teamsters, and UNITE HERE certified as class representatives. I have personal knowledge of the matters stated herein, and if called upon, could and would competently testify thereto.

2. I am an Assistant Vice President at Amalgamated Life Insurance Company ("ALICO"). ALICO, through its affiliate, Alicare, administers the UNITE HERE Staff Retirement Fund. The UNITE HERE Staff Retirement Fund provides retirement benefits to the staff of UNITE HERE. As of April 2007, Lead Plaintiff UNITE HERE had approximately \$500.0 million in assets. During the Class Period, Lead Plaintiff UNITE HERE acquired 12,600 shares of Forest Laboratories, Inc. securities, and lost approximately \$247,394.89 as a result.

3. On September 15, 2005, this Court appointed PACE, Teamsters, and UNITE HERE as the Lead Plaintiffs in this litigation and approved their choice of counsel. Since that time, UNITE HERE has been actively involved in the prosecution of this case, reviewing draft and final pleadings as well as orders of this Court. UNITE HERE has also reviewed the status of this action with counsel on at least a quarterly basis. UNITE HERE has provided Rule 26 disclosures, responded to interrogatories and produced documents in response to document requests.

4. UNITE HERE is committed to directing and reviewing the progress and status of the litigation as it proceeds to a trial. I have assisted the UNITE HERE trustees in the supervision and monitoring of the progress of the litigation and have actively participated in its prosecution. It is my intention, on behalf of UNITE HERE, to continue to monitor and participate in the ongoing

prosecution of this action on behalf of all persons and entities who purchased or otherwise acquired the common stock of Forest Laboratories, Inc. during the period beginning August 15, 2002 through and including September 1, 2004. UNITE HERE understands that, as a class representative, it will owe a fiduciary duty to all members of the proposed class to seek to obtain the largest recovery consistent with good faith advocacy.

5. If called upon to do so, I will appear to testify at a deposition and trial.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 24th day of May, 2007, at New York, NY.



JOEL MUELLER

S:\CasesSD\Forest Labs\DEC00042049_UNITE_Class Cert.doc

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 24, 2007.

/s/ Matthew P. Montgomery

MATTHEW P. MONTGOMERY

LERACH COUGHLIN STOIA GELLER

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Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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